

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

ROGER DALE FLOYD

PLAINTIFF

V.

CIVIL ACITN NO 1:20-CV-107-DMBDAS

**KILOLO KIJAKAZI, ACTING COMMISSIONER
OF THE SOCIAL SECURITY ADMINISTRATION**

DEFENDANT

ORDER AWARDING ATTORNEY FEES

Before the court is the claimant's motion for payment of attorney fees pursuant to the Equal Access to Justice Act (EAJA) 28 U.S.C. § 2412. In these proceedings, the claimant sought judicial review of the final decision of the Commissioner of Social Security, denying a claim for benefits. The court remanded this case to the Commissioner for further proceedings. The claimant now seeks attorney fees under the EAJ as the prevailing party, asserting the Commissioner's position was not substantially justified. By the motion and attached exhibits, the claimant requests a total award of \$ 7,748.34 in attorney's fees, representing 30 hours of work at \$ 203.93 per hour for work done in 2020 and 7.75 hours of work done in 2021 at \$210.38 per hour. The plaintiff also seeks reimbursement of the filing fee of \$400.00. The Commissioner does not object to the fees claimed but points out the court costs are payable from the U.S. Treasury Department's Judgment Fund and that the monies are payable to the plaintiff.

IT IS ORDERED that the claimant's motion for payment of attorney fees under the EAJA is granted. The defendant is directed to pay \$ 7,748.34 for attorney fees. The check shall be made

payable to the claimant and mailed to the attorney's address. The claimant is also awarded reimbursement of her court costs of \$4f00.00 to be paid from the Judgment Fund

SO ORDERED this the 8th day of September, 2021.

/s/ David A. Sanders

U.S. MAGISTRATE JUDGE